

January 21, 2010

TO: Members of the MAG Regional Council

FROM: Councilwoman Peggy Neely, Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.  
Wednesday, January 27, 2010  
MAG Office, Suite 200 - Saguaro Room  
302 North 1<sup>st</sup> Avenue, Phoenix

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL  
TENTATIVE AGENDA  
January 27, 2010**

**COMMITTEE ACTION REQUESTED**

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| <p>1. <u>Call to Order</u></p> <p>2. <u>Pledge of Allegiance</u></p> <p>3. <u>Call to the Audience</u></p> <p>An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.</p> <p>4. <u>Executive Director's Report</u></p> <p>The MAG Executive Director will provide a report to the Regional Council on activities of general interest.</p> <p>5. <u>Approval of Consent Agenda</u></p> <p>Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).</p> | <p>3. Information.</p> <p>4. Information and discussion.</p> <p>5. Approval of the Consent Agenda.</p> |
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**ITEMS PROPOSED FOR CONSENT\***

**MINUTES**

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| <p>*5A. <u>Approval of the December 9, 2009, Meeting Minutes</u></p> | <p>5A. Review and approval of the December 9, 2009, meeting minutes.</p> |
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**TRANSPORTATION ITEMS**

\*5B. Status Report on the Performance Measurement Framework and Congestion Management Update Study

Proposition 400 was passed by Maricopa County voters in November 2004 extending the half cent sales tax through 2025 and establishing legislative statutes that require MAG to develop a multimodal performance monitoring program for the regional transportation system. Beginning in 2010 and every five years thereafter, ARS 28-6313 requires the Auditor General to contract with an independent auditor to conduct a performance audit of the regional transportation plan and projects scheduled for funding during the next five years. The MAG Regional Performance Report completes Phase II of the Performance Measurement Framework and Congestion Management Update Study. A summary of analysis and findings is provided; the final report and interactive website are available at the MAG website. Please refer to the enclosed material.

\*5C. FY 2011 MAG Human Services Coordination Transportation Plan

The federal Safe and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) requires the establishment of a locally developed, coordinated public transit-human services transportation plan for all Federal Transit Administration programs for underserved populations: the Elderly Individuals and Individuals with Disabilities program (Section 5310); the Job Access and Reverse Commute program (Section 5316); and the New Freedom program (Section 5317). MAG has developed this coordination plan each year in compliance with this requirement since 2007. The fiscal year (FY) 2011 MAG Human Services Coordination Transportation Plan was recommended for approval by the MAG Human Services Technical Committee, the MAG Management Committee, and the MAG Human Services Coordinating Committee. Please refer to the enclosed material.

5B. Information and discussion.

5C. Approval of the FY 2011 MAG Human Services Coordination Transportation Plan.

\*5D. Project Changes - Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program

The fiscal year (FY) 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) 2007 Update were approved by the MAG Regional Council on July 25, 2007. Since that time, there have been requests from member agencies to modify projects in the programs. ADOT is requesting financial changes to three projects and adding a new pavement preservation project. Additionally, MAG member agencies are requesting changes to project limits related to federal funded projects, and requesting two new projects to be funded with STP-TEA funds; these projects were approved for funding by the ADOT State Board. Tables of proposed amendments and administrative modifications to the FY 2008-2012 TIP and RTP are enclosed. Each of the projects was heard and voted on for approval at their technical advisory committee. The MAG Management Committee and the Transportation Policy Committee recommended approval of the amendments and administrative modifications.

\*5E. American Recovery and Reinvestment Act (ARRA) Monthly Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region details the status of project development as of January 19, 2010. The report covers highway, local, transit, and enhancement projects programmed with ARRA funds and the status of project development milestones per project. Please refer to the enclosed material.

\*5F. Unobligated American Recovery and Reinvestment Act Local Funds - Technical Programming Modifications

Through the MAG committee process, discussions have been held regarding the anticipated unobligated Local/MPO American Recovery and Reinvestment Act (ARRA) funds

\*5D. Approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update.

5E. Information and discussion.

5F. Approval that the guidelines for programming unobligated American Recovery and Reinvestment Act (ARRA) Local funds that were approved by the MAG Regional Council on December 9, 2009, be modified in order that the local agency with the ARRA project savings will have local discretion to move the project savings to another existing ARRA project in that

due to low project cost bids and projects not obligating by the March 2, 2010 deadline. An approval of policy and programming recommendations by the MAG Regional Council on December 9, 2009 addressed how unobligated American Recovery and Reinvestment Act (ARRA) Local funds (due to either projects not obligating or project cost savings) are to be programmed. Since the approval, the Transportation Review Committee met and has recommended further technical clarifications on programming to be addressed for the policy recommendation to move forward. The MAG Management Committee and the Transportation Policy Committee recommended approval of the guidelines recommended by the Transportation Review Committee. Please refer to the enclosed material.

- \*5G. Appointment of Vice Mayor Shana Ellis, City of Tempe, to Serve as One of the Seven Largest Cities/Towns Elected Officials on the Transportation Policy Committee

The composition of the Transportation Policy Committee (TPC), established by the Regional Council on April 24, 2002, includes elected officials from the seven largest cities/towns. In June 2008 the Regional Council appointed the list of TPC members. Mayor Hugh Hallman, the elected official representing the City of Tempe on the TPC, notified MAG that the City is requesting that Vice Mayor Shana Ellis represent Tempe on the TPC. The appointment of Vice Mayor Shana Ellis to the TPC by the Regional Council as one of the seven largest cities/towns elected officials is requested. Please refer to the enclosed material.

jurisdiction; and/or swap the ARRA funds with ADOT-STP funds and move the project savings to an eligible project that is above \$200,000 and can obligate before September 30, 2010, including new projects. Any jurisdiction that cannot meet the \$200,000 threshold and obligation deadline of September 30, 2010 will return the project savings to the regional pool for reallocation.

- 5G. Appointment of Vice Mayor Shana Ellis, City of Tempe, as the one of the seven largest cities/towns elected officials on the Transportation Policy Committee.

### AIR QUALITY ITEMS

- \*5H. Status of Remaining MAG Approved PM-10 Certified Street Sweeper Projects That Have Not Requested Reimbursement

On September 16, 2009, a status report was provided to the MAG Management Committee on the remaining PM-10 certified street sweeper projects that have received approval, but have not

- 5H. Information and discussion.

requested reimbursement. To assist MAG in reducing the amount of obligated federal funds carried forward in the MAG Unified Planning Work Program and Annual Budget, MAG is requesting that street sweepers be purchased and reimbursement be requested by the agency within one year plus ten calendar days from the date of the MAG authorization letter. Please refer to the enclosed material.

\*5I. Recommendation of Prioritized List of Proposed PM-10 Certified Street Sweeper Projects for FY 2010 CMAQ Funding

The fiscal year (FY) 2010 MAG Unified Planning Work Program and Annual Budget and the FY 2008-2012 MAG Transportation Improvement Program contain \$1,310,000 in FY 2010 Congestion Mitigation and Air Quality (CMAQ) funding to encourage the purchase and utilization of PM-10 Certified Street Sweepers. An additional \$354,018 in CMAQ is available from sweeper projects that have been requested to be deleted and from savings on sweepers that have cost less than anticipated, for a total amount of \$1,664,018. All of the nine sweeper projects for FY 2010 may be funded with the \$1,664,018 in available CMAQ. On December 10, 2009, the MAG Air Quality Technical Advisory Committee (AQTAC) recommended a prioritized list of proposed PM-10 Certified Street Sweeper Projects for FY 2010 CMAQ funding. Prior to the AQTAC recommendation, the MAG Street Committee reviewed the proposed street sweeper applications on October 13 and November 10, 2009, in accordance with the Draft FY 2009 MAG Federal Fund Programming Principles. The MAG Management Committee recommended approval of the prioritized list. Please refer to the enclosed material.

\*5J. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The

5I. Approval of a prioritized list of proposed PM-10 Certified Street Sweeper Projects for FY 2010 CMAQ funding.

5J. Consultation.

proposed amendment involves several projects, including Arizona Department of Transportation projects for FY 2010. The amendment includes projects that are exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. Comments on the conformity assessment are requested by January 22, 2010. Please refer to the enclosed material.

### GENERAL ITEMS

\*5K. Discussion of the Development of the Fiscal Year 2011 MAG Unified Planning Work Program and Annual Budget

Each year, the Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in the spring and approved by the Regional Council in May. This overview of MAG's draft Dues and Assessments and the proposed budget production timeline provides an opportunity for early input into the development of the Work Program and Budget. Please refer to the enclosed material.

5K. Information and input on the development of the fiscal year (FY) 2011 MAG Unified Planning Work Program and Annual Budget.

### ITEMS PROPOSED TO BE HEARD

#### TRANSPORTATION ITEMS

6. ADOT Budget Update

In November, the Arizona Department of Transportation (ADOT) announced layoffs of 115 ADOT staff to reduce expenses as part of an effort to balance a budget suffering from declining transportation revenues and legislative transfers. State transportation funding has been depleted by \$500 million in fund transfers and continued declines in transportation revenues. ADOT has closed rest areas, and announced a plan to shutter a dozen Motor Vehicle Division Offices. ADOT has been under a hiring freeze since 2008. It has cut operational and highway maintenance expenses, deferred maintenance and construction projects and implemented

6. Information and discussion.

agency-wide furloughs two days per month for all employees to address budget shortfalls. On December 21, 2009, Governor Brewer announced that the FY 2011 budget beginning in July 2010 has an estimated budget deficit of \$3.4 billion. A representative from ADOT will provide information on how the revenue declines and budget cuts are impacting ADOT.

7. Proposed Federal Economic Stimulus Legislation

On December 16, 2009, the U.S. House of Representatives passed H.R. 2847 which provides additional infrastructure investments to stimulate the economy. The Senate is slated to take up the house bill in the near future and substantial changes could be made before the bill is passed by Congress and signed by the President. As passed by the House, an additional \$27.5 billion of funding for highways and \$8.4 billion for public transit are provided using the same allocation and process that were part of the first stimulus package (ARRA). One important difference is the dramatically shorter time frames to spend the funds. The new bill requires that one-half of the highway and transit funds need to be under contract within 90 days of when the funds become available. Under Contract means the project has been advertised for bid, bids received and evaluated, the bid award made, and the contract signed within 90 days. As an example, under ARRA, 50 percent of the funds allocated to state DOT's had to be obligated within 180 days. Obligation occurs when the FHWA authorizes the project to be advertised to bid. The 90-day deadline for half of the funds to be under contract also applies to funds allocated to local governments through MAG.

The timing of final Congressional action on another round of stimulus funding is unknown but March 2010 is being used as a rough target at this time. If the 90-day period remains to have 50 percent of the funding under contract, only projects that are through all of the approval processes required will be likely candidates for funding. A design-build project on the Santan Freeway from I-10 to approximately Gilbert

7. Approval of a proposed amendment to the MAG FY 2008-2012 Transportation Improvement Program and Regional Transportation Plan 2007 Update to include a design-build project on the Santan Freeway from I-10 to approximately Gilbert Road, including the ramp connections at I-10 and L101 (\$146 million), and a design-build project for L101 to complete the HOV lanes and other improvements from Tatum Boulevard to the junction with I-10 (\$139.5 million) and that the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan 2007 Update be amended subject to the necessary air quality conformity analysis and funding being provided from the Jobs for Main Street bill.



Road, including the ramp connections at I-10 and L101 (\$146 million), and a design-build project for L101 to complete the HOV lanes and other improvements from Tatum Boulevard to the junction with I-10 (\$139.5 million), are being recommended by ADOT as projects ready to advertise as design-build (or will be ready by March 1). An amendment to the MAG FY 2008 to FY 2012 Transportation Improvement Program is required. The Transportation Policy Committee recommended approval. Please refer to the enclosed material.

8. Transportation Roles and Responsibilities Update

On September 21, 2009, the MAG Executive Committee approved Option 1: Programming Consolidated at MAG; forming a MAG transit committee, and addressing potential budget issues regarding the Regional Public Transportation Authority (RPTA) and Valley Metro Rail (METRO) in the development of the FY 2011 MAG Unified Planning Work Program and Annual Budget. The Executive Committee directed that staff report back on the remaining three options in no later than 90 days and that progress reports be provided at future Executive Committee meetings. Over the last several months staff have met with representatives from RPTA, METRO, and the City of Phoenix to discuss planning and programming issues. MAG staff prepared a recommendation regarding transportation roles and responsibilities among the agencies that was considered by the Executive Committee. On January 19, 2010, the Executive Committee recommended approval of the recommendations in the memorandum and further recommended that work proceed on the development of a memorandum of understanding. Please refer to the enclosed material.

8. Approval of the seven staff recommendations for the consolidation and clarification of transit planning and programming roles and responsibilities, pending the addition of the local role in the memorandum, that the recommendation be referred to the Regional Council for its next meeting, but withheld to the February meeting if staff determines that significant progress has been made by RPTA Board on the memorandum of understanding to incorporate the recommended Regional Council action and to consult with the Chief Executive Officer of METRO regarding the changes.

**GENERAL ITEMS**

9. Update on the Bureau of Land Management

The Bureau of Land Management (BLM) is a federal organization that is responsible for serving the public interest on the 12.2 million acres of

9. Information and discussion.

land in Arizona by working collaboratively on natural resource programs and issues that are woven into the fabric of Arizona's public lands. Because of the complexity and long-term relevance to the quality of American life, the questions, proposals and issues facing BLM today are very important and, often, very challenging. It is BLM's obligation to engage in legitimate, open public processes to find effective solutions. A report on the efforts of BLM Arizona will be provided by the State Director.

10. Pinal County Comprehensive Plan

In February 2007, the Pinal County Board of Supervisors approved funding for the Pinal County Comprehensive Plan. The purpose of the Plan was to guide area development as the county grows toward a projected population of 6.1 million people. The Plan is the result of public outreach, meetings, multiple committees and consultations with private and public firms. The comprehensive plan focuses on centralized development by creating economic centers across the county linked by multiple modes of transportation, including rail and freeway systems, as well as a regional airport. On November 18, 2009, the Board of Supervisors approved the comprehensive plan. A representative from Pinal County will provide an overview of the plan.

10. Information and discussion.

11. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting will be requested.

11. Information and discussion.

12. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

12. Information.

13. Adjournment